

111. (amended) Computer executable software code configured for securely transferring electronic funds comprising:

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- (a) code for assigning at least one security attribute to a digital rights management container containing a digital representation of money, wherein the at least one security attribute precludes unauthorized access to the container containing the digital representation of money; and
 - (b) code for transmitting the container containing a digital representation of money to a recipient.
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189. (new) A method for receiving a digital rights management container containing electronic funds comprising:

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- (a) receiving an electronic mail message with an attached digital rights management container containing a digital representation of money, wherein the container containing a digital representation of money has at least one security attribute which precludes unauthorized access to the container; and
 - (b) entering security indicia, which allows access to the container containing a digital representation of money.
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REMARKS

I. Status Of The Claims

Claims 1-188 are pending in this application.

Claims 1-15, 19-27, 55-61, 73-81, 100-112, 121, 122, 126, 128-130, 140-149, 155-159, 162-164, 172-174, 177-179, 180-182, and 188 have been rejected under 35 U.S.C. 102(b) as being anticipated by Bocinsky (U.S. Patent No. 5,371,797).

Claims 16-18, 28-54, 62-72, 82-99, 113-120, 123-125, 127, 131-139, 150-154,

160, 161, 165-171, 176, and 183-187 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bocinsky.

With this Amendment, claim 188 is cancelled, claim 189 is added, and claims 1, 19, 55, 73, and 109-111 are amended.

Claims 1, 19, 28, 46, 55, 73, 82, 100, 109-111, 113, 115-117, 119, and 189 are independent.

II. Amendment of Claims 1, 19, 55, 73, and 109-111, and Addition of New Claim 189

With this response Applicants add new claim 189 and amend claims 1, 19, 55, 73, and 109-111 in order to further clarify the claimed invention.

Each of new claim 189 and amended claims 1, 19, 55, 73, and 109-111 includes the phrase “digital rights management container”. Applicants note that as is known in the art and as is indicated in the specification, a digital rights management container may be, for example, an InterTrust Technologies Digi-Box. Applicants observe that Bocinsky fails to disclose, teach, or suggest any use of a “digital rights management container”, and particularly that Bocinsky fails to disclose, teach, or suggest the employ of a digital rights management container as specified by new claim 189 and by amended claims 1, 19, 55, 73, and 109-111.

The Examiner states that “Bocinsky discloses electronic funds transfer”. However, Applicants believe it clear that any disclosure by Bocinsky of funds transfer is only disclosure of conventional funds transfer, and, as alluded to above, that Bocinsky simply fails to disclose, teach, or suggest any use of a digital rights management container.

In light of at least the foregoing, Applicants respectfully submit that Bocinsky fails to disclose, teach, or suggest all aspects of claims 1, 19, 55, 73, 109-111, and 189, and that these claims are in condition for allowance. For at least the same reasons claims 2-18, 20-27, 56-72, 74-81, 112, 121, 122, 125, 126, 130, 140-149, 160-164, 170-174, and 180-182 that depend therefrom are also thought to be in condition for allowance.

III. Rejection of Independent claims 28, 46, 82, 113, 115-117, and 119 Under 35 U.S.C. § 103(a)

Independent claims 28, 46, 82, 113, 115-117, and 119 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bocinsky.

With regard to these claims, the Examiner states “it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the electronic funds transfer of Bocinsky by including an electronic mail upon receiving the money transfer” (emphasis added).

However, Applicants note that none of claims 28, 46, 82, 113, 115-117, and 119 state, or state anything at all similar to, “including an electronic mail upon receiving the money transfer”. Instead, for example, claim 28 states “attaching [a] file containing a digital representation of money to an electronic mail message; and ... transmitting the electronic mail message with attached file containing a digital representation of money to a recipient”, while claim 46 states “receiving an electronic mail message with an attached computer file containing a digital representation of money”.

Applicants note that Bocinsky fails to disclose, teach, or suggest the employ of

electronic mail messages as specified in independent claims 28, 46, 82, 113, 115-117, 119, and 189, and further that the Examiner has identified no such disclosure, teaching, or suggestion.

For at least these reasons, Applicants submit that independent claims 28, 82, 113, 115-117, 119, and 189 are in condition for allowance. As claims 29-45, 47-54, 83-99, 114, 118, 120, 123, 124, 127, 131-139, 150-154, 165-169, 175, 176, and 183-187 depend therefrom, these claims are thought to be in condition for allowance for at least the same reasons.

IV. Rejection of Independent Claims 1, 19, 55, 73, 100, and 109-111 Under 35 U.S.C. § 102(b)

The most recent Office Action includes the Examiner's rejection of independent claims 1, 19, 55, 73, 100, and 109-111 under 35 U.S.C. 102(b) as being anticipated by Bocinsky. As discussed in previous responses to Office Actions, Applicants do not agree with the rejection. Regardless, Applicants believe this rejection to be moot in light of the amendment of these claims submitted herewith.

V. Dependent Claims

Applicants do not believe it necessary at this time to further address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to address those rejections in the future should such a response be deemed necessary and appropriate.

CONCLUSION

Applicants respectfully submit that this application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3892-4000. **A DUPLICATE OF THIS DOCUMENT IS ATTACHED.**

Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

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APPENDIX

Claims

1. (amended) A method for securely transferring electronic funds comprising:

(a) assigning at least one security attribute to a [computer file] digital rights management container containing a digital representation of money, wherein the at least one security attribute precludes unauthorized access to the [file] container containing the digital representation of money; and

(b) transmitting the [file] container containing a digital representation of money to a recipient.

19. (amended) A method for receiving a [secure file] digital rights management container containing electronic funds comprising:

(a) receiving a [computer file] digital rights management container containing a digital representation of money, wherein the [file] container containing a digital representation of money has at least one security attribute which precludes unauthorized access to the [file] container; and

(b) entering security indicia, which allows access to the [file] container containing a digital representation of money.

55. (amended) A system for securely transferring electronic funds comprising:

(a) means for assigning at least one security attribute to a [file] digital rights management container containing a digital representation of money, wherein the at least one security attribute precludes unauthorized access to the [file] container containing the digital representation of money; and

(b) means for transmitting the [file] container containing a digital representation of money to a recipient.

73. (amended) A system for receiving a [secure file] digital rights management container containing electronic funds comprising:

(a) means for receiving a [computer file] digital rights management container containing a digital representation of money, wherein the [file] container containing a digital representation of money of money has at least one security attribute which precludes unauthorized access to the [file] container; and

(b) means for entering security indicia, which allows access to the [file] container containing a digital representation of money.

109. (amended) A programmed computer configured for securely transferring electronic funds comprising:

(a) a memory having at least one region for storing computer executable program code; and

(b) a processor for executing the program code stored in memory, wherein the program code includes:

(i) code for assigning at least one security attribute to a [file] digital rights management container containing a digital representation of money, wherein the at least one security attribute precludes unauthorized access to the [file] container containing the digital representation of money; and

(ii) code for transmitting the [file] container containing a digital representation of money to a recipient.

110. (amended) A programmed computer configured for receiving a [secure file] digital rights management container containing electronic funds comprising:

(a) a memory having at least one region for storing computer executable program code; and

(b) a processor for executing the program code stored in memory, wherein the program code includes:

(i) code for receiving a [file] digital rights management container

containing a digital representation of money, wherein the [file] container containing a digital representation of money has at least one security attribute which precludes unauthorized access to the [file] container; and

(ii) code for facilitating the entry of security indicia that allows access to the [file] container containing a digital representation of money.

111. (amended) Computer executable software code configured for securely transferring electronic funds comprising:

(a) code for assigning at least one security attribute to a [file] digital rights management container containing a digital representation of money, wherein the at least one security attribute precludes unauthorized access to the [file] container containing the digital representation of money; and

(b) code for transmitting the [file] container containing a digital representation of money to a recipient.